



Lessard-Sams Outdoor Heritage Council  
The State of Minnesota

State Office Building, Room G95 100 Dr. Rev. Martin Luther King Jr. Blvd. Saint Paul, Minnesota 55155

DATE: April 16, 2013  
TO: LSOHC Council Members  
FROM: David Hartwell, Chair   
RE: April 22, 2013 Meeting Cancellation and Update

LSOHC staff and I discussed the meeting we had scheduled for April 22. This meeting was on our schedule to provide an opportunity to get an update on the legislative process going on with our recommendations. But there have been many updates already provided by staff on the progress and having a meeting to review what you have already received sent did not make a great deal of sense.

We felt some guidance from the legislative members of the council would be advisable on this matter. So I asked for some input. The opinions were either "do not have it" or "I defer to the chair". There was no advice to go ahead and hold this meeting. In light of that and because the open meeting law does not allow me to poll other executive committee members on this matter (having already asked one member), I canceled the meeting.

While you have seen many e-mails on the progress, let me provide a summary of where I think we are:

On the House side, Phyllis Kahn's Legacy Committee took our recommendations and added to them significantly. The good news is that our recommendations, in terms of programs/projects, all stand. But there are some significant changes beyond adding money to our recommended programs. These changes are done with FY2014 and FY2015 funds; we only recommended FY2014 funds. I see Legacy Committee changes falling into three categories:

- Provides funding for projects we declined to invite to make presentations last fall (fell below the scoring line). These are:
  - Metro Parks -\$6,846,000. The Metro Parks program has some significant differences to what was proposed to us.
  - Duluth Flood Stream Habitat Restoration - \$5,000,000

- Provides funding for projects we invited to make presentations last fall but we decided not to recommend for funding. These included:
  - Forests for the Future - \$5,500,000. This is not really the same proposal we received but one targeting Molpus owned lands (eventually adding as much as \$30 million dollars).
  - Preventing Forest Fragmentation and Protecting and Restoring Lake and Stream Habitat in the St. Louis River Watershed (or the Fond du Lac proposal) -\$2,476,000,
- Provides funding for five projects that did not apply to us for funding. These are:
  - Protect Aquatic Habitat from Asian Carp - \$7,475,000
  - Lake Minnetonka Protection - \$3,000,000
  - Environmental Learning Area Habitat Protection - \$550,000
  - Public Information Web Site - \$39,000 (we have historically supported this LCC effort to publicize OHF work)

The total changes amount to an extra \$53,737,000, by my count, being appropriated beyond our recommendations. This would significantly reduce our fund available for 2015 and cause us to rethink our process. Of course, we cannot do this until we understand the final outcome.

Additionally, there are a number of adjustments to our process. The most important is a change to our recommendation process from an annual recommendations to a two year (biennial) process. The biennial approach allows us the ability to make a supplemental recommendation for funds that become available in the second year.

There have been numerous Council members who have testified on these changes. All of that testimony to the committee has supported the recommendations that came out of our process. Nothing that was said by our members or others (which were all not in favor of the changes) has had any impact on the Legacy Committee.

The Legacy Committee's recommendations went to the House Ways and Means Committee which moved them onto the Rules and Legislative Administration Committee where it awaits action Tuesday. The bill should be on the House floor on Saturday.

The Senate has yet to take action, word is the Senate will follow the LSOHC's recommendations. Of course it is not done until it is done....

That will set up a significant difference to be ironed out in a conference committee.

Please don't forget that there is a long way to go before this is over.

There is no doubt that we are not seeing what we expected when we passed on our recommendations. The House is making clear that our recommendations are just that and that they have the right to change them any way they want to. They are also determined to make our process a biennial one rather than annual, which does not provide us with the ability to respond to new opportunities and challenges. Lastly, they set precedent for environmental education, AIS inspection and boat clean up as protection; flood control as restoration; and parks as habitat to be restored.

I do believe this entire situation is unfortunate and that there was a better way to both discuss what we recommended and why. But there is little that can be done to change what has taken place. We can however focus on the next few weeks.

We will continue to provide updates as things develop and we reach a final agreement.

Attachment: Hartwell tracking spreadsheet